

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
NEWNAN DIVISION**

IN RE:	:	
	:	CHAPTER 11
MY KIDZ DENTIST PC	:	CASE NO. 19-12506
Debtor.	:	

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**EMERGENCY MOTION FOR IMPOSITION OF A CO-DEBTOR STAY  
AS TO DEBTOR'S PRINCIPAL, Dr. LONA BIBBS**

COMES NOW, MY KIDZ DENTIST PC, (the "Debtor"), moves the court pursuant to 11 USC § 105 for imposition of a co-debtor stay as to Debtor's principal, Dr. Lona Bibbs-Walker.

**BACKGROUND**

The Debtor, MY KIDZ DENTIST PC, is a pediatric dentist office located in Newnan, Georgia. The Debtor has affiliate entities, MY KIDZ DENTIST OF FAYETTEVILLE, LLC and MY KIDZ DENTIST OF CARROLLTON, LLC. All three of the entities are owned 100% by Dr. Lona Bibbs-Walker who operates the businesses.

Dr. Bibbs-Walker was injured in 2015 which resulted in a medical leave for approximately eight (8) months. In November 2018, she was involved in an altercation involving racial tension that resulted in the shooting of her husband and her arrest. During these times, Dr. Bibbs-Walker enlisted the services of Iesha Guillford Harris to act as CFO for the companies.

Ms. Harris did not fulfill her duties in a timely or professional manner. As a result, the companies became delinquent in their financial obligations. Ms. Harris encouraged Dr. Bibbs-Walker to enter into several aggressive payroll and merchant cash advance loans. These loans are currently past due.

On December 13, 2019 MY KIDZ DENTIST, PC. Filed the present Chapter 11 case. The Debtor is operating its business and managing its affairs as a debtor-in-possession under 11 USC § § 1107 and 1108.

The total debt owed by the Debtor and the affiliated entities is approximately \$2,800,000.00. Dr. Bibbs has received an offer to purchase fifty percent (50%) of her shares of

the Debtor and affiliated entities. Upon closing of this transaction, Dr. Bibbs will receive a sum in an amount that should pay no less than 90% of the current liabilities of the Debtor and the affiliated entities. Dr. Bibbs stands ready to contribute such funds as are required to pay all creditors of the Debtor and its affiliates. (See Attached Exhibit A). However, should Dr. Bibbs be unable to perform her duties for the Debtor and its affiliates, the transaction is unlikely to complete and the opportunity will be lost.

#### RELIEF REQUESTED

The Debtor requests entry of an order, pursuant to 11 USC §105 to impose a co-debtor stay as to Debtor's principal, Dr. Lona Bibbs.

#### BASIS FOR RELIEF

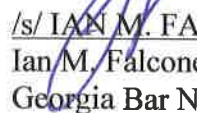
Section 105 of the Bankruptcy Code empowers the Court to "issue any order, process, or judgment that is necessary or appropriate to carry out the provisions of the title." (See 11 U.S.C. 105). Under this provision, several courts have found the authority to grant co-debtor stays in appropriate cases. (See *In re Kasual Kreation Inc.*, 54 Bankr 915 (Bankr S.D. Fla 1985)(imposing co-debtor stay over guarantor), *In re Comark*, 53 Bankr. 945 (Bankr C.D. Cal 1985)(imposing co-debtor stay over partner), *In re Arrow Huss, Inc.* 51 Bankr. 853 (Bankr. D. Utah 1985)(imposing co-debtor stay over guarantor), *In re Otero Mills, Inc.*, 21 Bankr. 777 (Bankr. D.N.M)(imposing co-debtor stay over guarantor), *aff'd* 25 Bankr. 1018 (D.N.M. 1982).

At least one court has stated, "The classic scenario which warrants such relief is an affirmative showing with competent proof that the non-debtors sought to be protected (1) have the financial wherewithal and (2) they are willing to contribute their credit, funds or properties to fund the plan of reorganization of the Debtor." *In re Regency Realty Assocs.*, 179 B.R. 717 (Bkrcty. M.D. Fla. 1995). The Court further stated, "The second scenario involves a corporation where the sole principal in charge of the affairs of the corporation is entitled to protection because in the absence of the protection sought the principal [\*\*6] will not be able to devote his or her time to the affairs of the Debtor and is entitled to a breathing spell and free from lawsuits and the attendant time consuming participation in discovery process which would prevent him or her to formulate a plan of reorganization and ultimately achieve rehabilitation. *In re Steven P.*

*Nelson, D.C., P.A.*, 140 Bankr. 814 (Bkrtcy. M.D. Fla. 1992).” *In re Regency Realty Assocs.*, 179 B.R. 717 (Bkrtcy. M.D. Fla. 1995).

WHEREFORE, the Debtor requests that the Court enter an order imposing a co-debtor stay over Debtor’s principal, Dr. Lona Bibb.

This 16<sup>th</sup> day of December 2019

  
/s/ IAN M. FALCONE  
Ian M. Falcone  
Georgia Bar No. 254470  
Attorney for Debtor

THE FALCONE LAW FIRM, P.C.  
363 Lawrence Street  
Marietta, GA 30060  
(770) 426-9359  
[imf@falconefirm.com](mailto:imf@falconefirm.com)

STATE OF GEORGIA  
COUNTY OF COBB

AFFIDAVIT

Personally appeared before the undersigned attesting officer, authorized by law to administer oaths, Dr. Lona Bibbs-Walker, who, upon oath, deposes and states as follows:

1. My name is Dr. Lona Bibbs-Walker.
2. I am over 21 years of age. I am competent and suffering under no disabilities and I am offering this Affidavit for use in the above-referenced pending bankruptcy case.
3. I am the 100% owner of My Kidz Dentist, P.C.
4. I am the 100% owner of My Kidz Dentist of Fayetteville, LLC
5. I am the 100% owner of My Kidz Dentist of Carrollton, LLC
6. My personal services are essential to each of the businesses stated above.
7. I have received a written offer to purchase 50% of my ownership in each of the businesses.
8. The initial payment I will receive from the purchase is more than sufficient to pay all of the debt owed by each of the businesses.
9. I am prepared to contribute funds up to \$2,500,000 to the collective bankruptcy cases to pay off the creditors in each of the cases.
10. If I am unable to perform my daily services for the businesses, they will likely close.

Further, Affiant sayeth not.

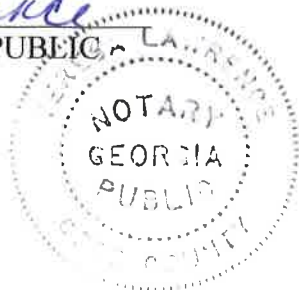
  
\_\_\_\_\_  
Dr. Lona Bibbs-Walker

Sworn to and subscribed before me  
this 13 day of Dec, 2019.

  
(SEAL) NOTARY PUBLIC

My commission expires:

TERESA LAWRENCE  
Notary Public, Cobb County, Georgia  
My Commission Expires April 9, 2021



**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
NEWNAN DIVISION**

IN RE:

MY KIDZ DENTIST PC

Debtor.

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CHAPTER 11  
CASE NO. 19-12506


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CERTIFICATE OF SERVICE

This is to certify that I have this day served the within and foregoing EMERGENCY MOTION FOR IMPOSITION OF A CO-DEBTOR STAY AS TO DEBTOR'S PRINCIPAL, Dr. LONA BIBB on the trustee and all parties listed below and those on the attached sheet by depositing a true and complete copy of the same in the United States Mail, with adequate postage thereon:

US Trustee  
362 Richard B. Russell Building  
75 Spring Street  
Atlanta GA 30303

This 16<sup>th</sup> day of December 2019

/s/  IAN M. FALCONE  
Ian M. Falcone  
Georgia Bar No. 254470

THE FALCONE LAW FIRM, P.C.  
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Label Matrix for local noticing  
13E-3  
Case 19-12506  
Northern District of Georgia  
Newman  
Mon Dec 16 09:39:17 EST 2019

ADT Protection 1  
830 Franklin Court, Ste A  
Marietta, GA 30067-8939

Airgas  
2015 Vaughn Road, Bldg 400  
Kennesaw, GA 30144-7802

Alfa Advance LLC  
11-10 37th Ave, Ste 202  
Long Island City, NY 11101-2112

Alliance Orthodontics  
1741 Newman Crossing  
Newman, GA 30265-1599

Ally Financial  
PO Box 380901  
Minneapolis, MN 55438-0901

Ansafone  
101 NE 2nd Street  
Tampa, FL 34470-6642

Atlanta Dental  
1650 Satellite Blvd  
Duluth, GA 30097-4910

Avesis  
c/o Steve Maniloff/Montgomery  
1735 Market Street  
Philadelphia, PA 19103-7501

Axis Bank  
205 W. Russell Rd, Ste 400  
Las Vegas, NV 89148-1468

Balboa Capital  
PO Box 15270  
Irvine, CA 92623-5270

(p)BANK OF AMERICA  
PO BOX 982238  
EL PASO TX 79998-2238

Blacklock Heating and Air  
11 Church Alley  
Brooks, GA 30205-1814

CSC  
801 Adial Stevenson Drive  
Springfield, IL 62703-4261

CT Corporation systems  
as representative  
330 N. Brand Blvd, Ste 700  
Glendale, CA 91203-2336

CT Lien Solutions  
PO Box 29071  
Glendale, CA 91209-9071

CapFlow  
2232 Brigham Street #5  
Brooklyn, NY 11229-6141

Capitol Services  
PO Box 1831  
Austin, TX 78767-1831

Chase Ink Business Card  
Card Services  
PO Box 15298  
Wilmington, DE 19850-5298

Cheng Crowns  
PO box 5001  
Exton, PA 19341-5001

Clark Pest Remedy  
3548 Jodeco Rd  
McDonough, GA 30253-5349

Community Bank of Pickens Co  
5 Sammy McGhee Blvd  
Asper, GA 30143-4098

Corporation Service Company  
as representative  
PO Box 2576  
Springfield, IL 62708-2576

Darby Dental Supply  
300 Jericho Quadrangle Ll  
Jericho, NY 11753-2700

De Lage Landen Financial  
11 Old Eagle School Rd  
Wayne, PA 19087-1453

Dell Financial Services LLC  
MS-PS2DF-23 One Dell Way  
Round Rock, TX 78682-0001

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PO Box 4568  
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Boston, MA 02108-3107

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3412 Galilee Rd  
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 croggins & Williamson  
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 Atlanta, GA 30327-3011

(P) CITIBANK  
 PO BOX 790034  
 ST LOUIS MO 63179-0034

IKUKA Capital  
 162 Elmora Ave  
 Elizabeth, NJ 07202-1148

Innovative Energy Solutions  
 75 Anton Blvd, 12th Floor  
 Costa Mesa, CA 92626-7169

Internal Revenue Service  
 P. O. Box 7346  
 Philadelphia, PA 19101-7346

Jeffrey Schaefer  
 Lease Direct  
 PO Box 6980  
 Wayne, PA 19087-8701

Kitchens Kelley Gaynes PC  
 Glenridge Highlands One  
 555 Glenridge Conn, Ste 800  
 Atlanta, GA 30342-4728

LEAF Capital Funding LLC  
 1 Commerce Square  
 2005 Market Street,  
 Philadelphia, PA 19103-7042

Legend Advance Funding II  
 767 3rd Ave, 32 Floor  
 New York, NY 10017-2085

ien Solutions  
 O Box 29071  
 Glendale, CA 91209-9071

Lift Forward Inc  
 180 Maiden Lane, 10th Floor  
 New York, NY 10038-5178

LiftForward, Inc  
 261 Madison Ave  
 New York, NY 10016-2311

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 741 Tiburon Drive  
 Wilmington, NC 28403-6244

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 Fayetteville, GA 30214-1101

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 7 State Street, Ste 4000  
 New York, NY 10004-1508

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 Gilroy, CA 95020-5752

Melissa Lommel  
 500 13th Street  
 PO Box 750  
 Albany, MN 56307-0750

ike Marshall  
 iva Capital Funding  
 1427 Rojas Drive, ste A  
 Paso, TX 79936-6424

Mr. Advance Capital LLC  
 116 Nassau Street, Ste 804  
 New York, NY 10038-2481

My Dental Career & Staffing LL  
 193 Stanley Rd  
 Fayetteville, GA 30214-1101

ly Kidz Dentist  
 f Fayetteville  
 93 Stanley Rd  
 Fayetteville, GA 30214-1101

My Kidz Dentist  
 of Carrollton LLC  
 1124 N. Park Street, Ste 202  
 Carrollton, GA 30117-2395

My Kidz Dentist PC  
 1741 Newman Crossing Blvd  
 Newnan, GA 30265-6600

uLink  
 -A Jackosn Street  
 Newnan, GA 30263

Opportunity Fund Community Dev  
 111 W. Saint John Street  
 San Jose, CA 95113-1121

Ora Labs  
 18685 E. Plaza Drive  
 Parker, CO 80134-9061

RA Receivables Management, LLC  
 O Box 41021  
 Norfolk, VA 23541-1021

PW Funding LLC  
 3300 Highlands Pkwy, Ste 290  
 Smyrna, GA 30082-7252

Patterson Dental  
 1775 W. Oak Parkway #500  
 Marietta, GA 30062-2267

p)PAWNEE LEASING CORPORATION ATTN SANDI CAR  
 801 AUTOMATION WAY  
 TE 207  
 FORT COLLINS CO 80525-5735

Payroll Funding Company  
 10785 W. Twain Ave, Ste 200  
 Las Vegas, NV 89135-3028

Quench Water  
 630 Allendale Rd, Ste 200  
 King of Prussia, PA 19406-1695

PM Rewards LLC  
 40 Youngs Cir  
 Fayetteville, GA 30215-7816

Secretary of the Treasury  
 15th & Pennsylvania Avenue, NW  
 Washington, DC 20200

Stearns Bank NA  
 500 13th Street  
 Albany, MN 56307-6401

Synchrony Bank  
 o PRA Receivables Management, LLC  
 O Box 41021  
 Norfolk, VA 23541-1021

Total Merchant Resources  
 377 Hoes Lane , Ste 240  
 Piscataway, NJ 08854-4138

U. S. Securities and Exchange Commission  
 Office of Reorganization  
 Suite 900  
 950 East Paces Ferry Road, NE  
 Atlanta, GA 30326-1382

United Health Care  
 ll Savers  
 O Box 31375  
 Salt Lake City, UT 84131-0375

Viva Healthcare Funding LLC  
 8981 Castner Drive, ste E  
 El Paso, TX 79907-1833

Wells Fargo Dealer Services  
 PO Box 997517  
 Sacramento, CA 95899-7517

World Business Lending  
 .01 Hudson Street, 33rd Floor  
 Jersey City, NJ 07302-3905

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified  
 by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

Bank of America  
 O Box 982234  
 El Paso, TX 79998

Home Depot  
 PO Box 182676  
 Columbus, OH 43218

Pawnee Leasing Corp  
 700 Centre Ave  
 Fort Collins, CO 80528

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

u)Newnan Associates LLC

End of Label Matrix	
Mailable recipients	72
Bypassed recipients	1
Total	73